

CAPTAIN THOMAS DUNCAN.

[To accompany bill H. R. 587.]

DECEMBER 12, 1856.

Mr. PORTER, from the Committee on Private Land Claims, made the following

REPORT.

The Committee on Private Land Claims, to whom was referred the petition of Thomas Duncan, have had the same under consideration, and respectfully report:

That the petitioner bought and had specially assigned to him, with the view of having them located on public lands in the State of Missouri, the following described land warrants, viz:

No. 9,745, for 80 acres, in the name of George Chewning, issued July 10, 1851.

No. 31,138, for 40 acres, in the name of Benjamin Lindsley, issued 29th of November, 1851.

No. 44,798, for 40 acres, in the name of Eleanor P. Pool, issued 6th March, 1852.

No. 53,304, for 40 acres, in the name of Turner Brown, issued 20th of April, 1852.

No. 55,108, for 40 acres, in the name of George Bromer, issued 29th of April, 1852.

And No. 53,140, for 40 acres, in favor of Labin Mauldin, issued 24th of April, 1852—for 280 acres in all.

That these warrants, thus assigned to the petitioner, Captain Thomas Duncan, were enclosed and deposited in the post office in this city to be mailed to Bela M. Hughes, of St. Joseph, Missouri, to be by him, as attorney for Captain Duncan, located in his, said Duncan's, favor. That said warrants never reached said Hughes, and have been lost. That said Duncan has applied to the pension office for duplicates of said land warrants, and has shown said facts and the loss of said land warrants to the satisfaction of the Commissioner of Pensions, so as to enable the petitioner to obtain the issue of said duplicate land warrants. But the Commissioner of the General Land Office does not recognize the assignments on said lost land warrants showing said Duncan's ownership thereof, though satisfied, as is the Commissioner of Pensions, of such ownership; nor can he do so as the general law stands, unless specially authorized; and it is morally impossible for said Duncan to find the original warrantees

so as get their assignments anew. A caveat having been duly entered in the General Land Office against the issue of patents on said lost land warrants, the government is thereby protected against any liability thereon. No mischief can result to the government by allowing the petitioner to locate the duplicates placed in his hands as he asks. But an act of justice will thereby be done him, which will relieve him from what appears to your committee to be a hardship against which he should be relieved. They therefore report a bill for that purpose, and recommend its passage.

REPORT.